

**REPORT OF THE AUDIT OF THE
LOGAN COUNTY
SHERIFF'S SETTLEMENT - 2002 TAXES**

June 10, 2003



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EDWARD B. HATCHETT, JR.
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Paul E. Patton, Governor
Gordon C. Duke, Secretary
Finance and Administration Cabinet
Dana Mayton, Secretary, Revenue Cabinet
Honorable John H. Guion III, Logan County Judge/Executive
Honorable Wallace Whittaker, Logan County Sheriff
Members of the Logan County Fiscal Court

The enclosed report prepared by Ross & Company, PLLC, Certified Public Accountants, presents the Logan County Sheriff's Settlement - 2002 Taxes.

We engaged Ross & Company, PLLC, to perform the financial audit of this statement. We worked closely with the firm during our report review process; Ross & Company, PLLC, evaluated the Logan County Sheriff's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Enclosure



**REPORT OF THE AUDIT OF THE
LOGAN COUNTY
SHERIFF'S SETTLEMENT - 2002 TAXES**

June 10, 2003

**ROSS & COMPANY, PLLC
Certified Public Accounts**

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**EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
LOGAN COUNTY
SHERIFF'S SETTLEMENT - 2002 TAXES**

June 10, 2003

Ross & Company, PLLC, has completed the audit of the Sheriff's Settlement - 2002 Taxes for Logan County Sheriff as of June 10, 2003. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The Sheriff collected taxes of \$657,096 for the districts for 2002 taxes, retaining commissions of \$21,157 to operate the Sheriff's office. The Sheriff distributed taxes of \$632,259 to the districts for 2002 Taxes. Taxes of \$318 are due to the districts from the Sheriff and refunds of \$195 are due to the Sheriff from the taxing districts.

Report Comment:

The Sheriff Should Distribute Interest Earned On Tax Collections Monthly

Deposits:

The Sheriff's deposits were insured and collateralized by bank securities or bonds.

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Independent Auditor's Report

We have audited the Logan County Sheriff's Settlement - 2002 Taxes as of June 10, 2003. This tax settlement is the responsibility of the Logan County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Logan County Sheriff's taxes charged, credited, and paid as of June 10, 2003, in conformity with the modified cash basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated August 18, 2003, on our consideration of the Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

To the People of Kentucky

Honorable Paul E. Patton, Governor

Gordon C. Duke, Secretary

Finance and Administration Cabinet

Dana Mayton, Secretary, Revenue Cabinet

Honorable John H Guion III, Logan County Judge/Executive

Honorable Wallace Whittaker, Logan County Sheriff

Members of the Logan County Fiscal Court

Based on the results of our audit, we present the accompanying comment and recommendation, included herein, which discusses the following report comment:

- The Sheriff Should Distribute Interest Earned On Tax Collections Monthly

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ross & Company".

Ross & Company, PLLC

Audit fieldwork completed -
August 18, 2003

LOGAN COUNTY
WALLACE WHITTAKER, COUNTY SHERIFF
SHERIFF'S SETTLEMENT - 2002 TAXES

June 10, 2003

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Taxes Transferred from Former Sheriff	\$ 98,772	\$ 113,329	\$ 365,363	\$ 134,540
Franchise Corporation	6,683	6,587	22,311	
Supplemental Billings	943	1,048	4,171	4,318
Oil and Gas Property Taxes	4	4	15	6
Penalties	6,080	6,990	22,622	8,214
Gross Chargeable to Sheriff	<u>\$ 112,482</u>	<u>\$ 127,958</u>	<u>\$ 414,482</u>	<u>\$ 147,078</u>
<u>Credits</u>				
Exonerations	\$ 490	\$ 556	\$ 1,973	\$ 627
Discounts	2	1	7	1
Delinquents:				
Real Estate	18,303	21,498	70,194	23,495
Tangible Personal Property	1,040	828	3,067	1,333
Uncollected Franchise	19	15	48	
Delinquent Supplemental Bills	179	175	703	350
Total Credits	<u>\$ 20,033</u>	<u>\$ 23,073</u>	<u>\$ 75,992</u>	<u>\$ 25,806</u>
Taxes Collected	\$ 92,449	\$ 104,885	\$ 338,490	\$ 121,272
Less: Commissions *	<u>3,929</u>	<u>4,458</u>	<u>7,616</u>	<u>5,154</u>
Taxes Due	\$ 88,520	\$ 100,427	\$ 330,874	\$ 116,118
Taxes Paid	88,034	99,937	329,603	114,685
Credit For Commissions Per KRS 134.290				364
Refunds (Current and Prior Year)	<u>451</u>	<u>419</u>	<u>1,254</u>	<u>1,069</u>
Due Districts or (Refunds Due Sheriff)		**	***	
as of Completion of Fieldwork	<u>\$ 35</u>	<u>\$ 71</u>	<u>\$ 17</u>	<u>\$ 0</u>

The accompanying notes are an integral part of this financial statement.

LOGAN COUNTY
 WALLACE WHITTAKER, COUNTY SHERIFF
 SHERIFF'S SETTLEMENT - 2002 TAXES
 June 10, 2003
 (Continued)

* Commissions:

4.25% on	\$	318,606
2.25% on	\$	338,490

** Special Taxing Districts:

Library District	\$	69
Health District		7
Extension District		6
Soil Conservation		4
Mud River		(15)

Due Districts or (Refund Due Sheriff)	\$	<u>71</u>
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*** School Districts:

Logan County Schools	\$	197
Russellville Independent Schools		(180)

Due School Districts or (Refund Due Sheriff)	\$	<u>17</u>
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LOGAN COUNTY
NOTES TO FINANCIAL STATEMENT

June 10, 2003

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of June 10, 2003, the Sheriff's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the Sheriff's agent in the Sheriff's name, or provided surety bond which named the Sheriff as beneficiary/obligee on the bond.

LOGAN COUNTY
NOTES TO FINANCIAL STATEMENT
June 10, 2003
(Continued)

Note 4. Tax Collection Period

Property Taxes

The real and personal property tax assessments were levied as of January 1, 2002. Property taxes were billed to finance governmental services for the year ended June 30, 2003. Liens are effective when the tax bills become delinquent. The collection period for these assessments was January 28, 2003, through April 8, 2003.

Note 5. Interest Income

The Logan County Sheriff earned \$2,062 as interest income on 2002 taxes. As of August 18, 2003, the Sheriff owes \$256 in interest to the Logan County School District, \$84 in interest to the Russellville Independent School District and \$260 to his fee account.

Note 6. Sheriff's 10% Add-On Fee

The Logan County Sheriff collected \$32,929 of 10% add-on fees allowed by KRS 134.430(3). This amount will be used to operate the Sheriff's office.

Note 7. Advertising Costs And Fees

The Logan County Sheriff collected \$4,745 of advertising costs and advertising fees allowed by KRS 424.330(1) and KRS 134.440(2). The Sheriff distributed the advertising costs and the advertising fees to the sheriff's fee account. The fiscal court requires the sheriff to operate under the fee pool system, thus all advertising cost and fees will be distributed on to the fiscal court.

COMMENT AND RECOMMENDATION

LOGAN COUNTY
WALLACE WHITTAKER, COUNTY SHERIFF
COMMENT AND RECOMMENDATION

As of June 10, 2003

STATE LAWS AND REGULATIONS:

The Sheriff Should Distribute Interest Earned On Tax Collections Monthly

KRS 134.140(3)(b) requires the Sheriff to pay monthly “ that part of his investment earnings for the month which is attributable to the investment of school taxes.” The Sheriff should distribute the investment earnings at the same time as the monthly tax collections. KRS 134.140(3)(d) requires the remaining monthly interest to be transferred to the Sheriff’s fee account. During 2002 tax collections, the Sheriff earned interest of \$2,062 on his tax account. However, the Sheriff did not pay the interest to the Logan County Board of Education, Russellville Board of Education or the fee account on a monthly basis. As of August 18, 2003, the Sheriff owed the Logan County Board of Education \$256, the Russellville Board of Education \$84 and the fee account \$260. We recommend the Sheriff comply with KRS 134.140(3)(b) and (d) by paying the amount of interest due to the schools and fee account on a monthly basis.

Sheriff’s Response:

None.

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REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

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Honorable Wallace Whittaker, Logan County Sheriff

Members of the Logan County Fiscal Court

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Logan County Sheriff's Settlement - 2002 Taxes as of June 10, 2003, and have issued our report thereon dated August 18, 2003. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Logan County Sheriff's Settlement - 2002 Taxes as of June 10, 2003, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed one instance of noncompliance that is required to be reported under Government Auditing Standards and which is described in the accompanying comment and recommendation.

- The Sheriff Should Distribute Interest Earned On Tax Collections Monthly

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Logan County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ross & Company", written in black ink.

Ross & Company PLLC

Audit fieldwork completed -
August 18, 2003

